

Official Minutes for Webb County Commissioners Court Meeting

Monday, June 9, 2003 at 1:30 P.M.

(Corrections approved 06-23-2003 in bold and parenthesis)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:30 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Jerry Vasquez	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 6 of June 2003. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk
- Item No. 3 Invocation – Cmr. Velasquez
- Item No. 4 Pledge of Allegiance – Led by Cmr. Gutierrez
- Item No. 5 Approval of minutes – May 19, 2003 and May 27, 2003

Judge Bruni stated that he would like for the following corrections to be made to the minutes of May 26, 2003:

Page 1, Heading – Change Monday to Tuesday in heading

Page 4, Item No. 8 – Change \$2,600 to \$26,000

Page 11, Item No. 23 – Change motion to approve to motion to defer.

Page 16, Item No. 34 – Remove Item no. 26 from approval. Item No. 26 was deferred.

Page 18, Item No. 48 – Change Slot No. from 371 to No. 271.

Cmr. Vasquez, Cmr. Gutierrez, Cmr. Velasquez and Cmr. Cortez had no additional corrections or deletions to the minutes.

Cmr. Gutierrez motioned to approve minutes with corrections.
Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 7. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 7 Communications

Cmr. Gutierrez advised court that she had attended a conference in Houston, Texas in regards to mental health and mental retardation (MHMR) services. She stated that due to the possible state budget cuts many counties and local governments would need to assume the responsibilities of running and funding local MHMR service centers.

Cmr. Velasquez thanked those departments that worked hard to clear the debris left by last week's storm at the Casa Blanca Golf Course.

Cmr. Cortez stated that only when unfortunate events like last week's storm do true leaders stand up and take the initiative to begin the process of requesting state assistance in this time of need. He thanked Judge Bruni for taking that initiative and for his efforts in declaring Webb County a disaster area.

Judge Bruni stated that there was a lot of damage done to both Webb County and the City of Laredo. He appreciated the efforts done by those who helped in this time of need.

Cmr. Cortez motioned to move up Item No. 17, No. 56 and No. 62. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17 Recognition and presentation of the "Laredo Business Person of the Year" from Laredo Chamber of Commerce:
Mr. Luis Guerra
Dr. Reynaldo Godines
Dr. George Garcia

Recognition and presentation of the "Accountant Advocate of the Year" from Small Business Activities San Antonio District:
Mr. Jorge R. Martinez

Recognition and presentation of the "Small Business Person of the Year" to Small Business Activities Local Recognition:
Mr. Ricardo Herrera

Ms. Araceli Lozano, Mr. Jorge Gonzalez, and Dr. John Adams were present to award the above recognitions. They thanked the court for their support and assistance in recognizing these individuals and for the support of the Laredo Chamber of Commerce and the Laredo Development Foundation.

- Item No. 56 Presentation by BANK ONE concerning:
(a) Procurement Card
(b) Payroll Credit Cards and
(c) Automated Electronic Payment options for Webb County

Ms. Lee Rios from Bank One presented to the court the different options that Bank One could offer Webb County to eliminate paperwork involved in purchase orders and paychecks. She stated that the County would save approximately \$60 per purchase order and approximately \$1,500 per month on paycheck distribution. Cmr. Cortez stated that he would like for Cmr. Velasquez and Mr. Eloy Ramirez to form a committee to review the pros and cons of these options and report these to the Court. Mr. Homero Ramirez, County Attorney, stated that there could be no action to that effect until an item is placed on the agenda. Mr. Eloy Ramirez, Purchasing Agent, stated that by using these methods, vendors would receive payment within 24 hours. He recommended that the court place an item on the next agenda to solicit proposals for this project and have a committee review them.

- Item No. 62 Discussion and possible action to approve a resolution to proclaim June 2003 as "Safety & Health Month".

Ms. Juanita Puente, Risk Manager, read the proclamation to the Court.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 8 Public Comment

Mr. Raul G. Salinas, former FBI Agent, praised the court for the outstanding leadership they have displayed in looking for additional sources of revenue. He believed that the rail district would boost trade between the U.S. and Mexico and would also create jobs. He stated that the fifth bridge was an economic development for Webb County and for the benefit of the citizens.

Mr. Anthony Peterson addressed the Court in regards to Item No. 21. He felt that the County would lose money by not allowing officials and political parties to rent county property for their fundraisers and other events.

Mr. Jorge Sanchez stated that he would wait for his item to be called up.

Mr. Jesus Sanchez wanted to address the Court on Item No. 16 and No. 25. He stated that hiring Carlos Villarreal, former Court Administrator, would be a slap to the face of the current administration and the people who voted for them. He stated that if the court approved these items, they would be going back to the way the previous administration was done instead of moving ahead.

Item No. 6 Approval of bills, payroll and monthly reports

Mr. Leo Flores, County Auditor, presented his monthly report to the Court. Judge Bruni questioned the \$11 million over-budget that was reported in the Laredo Morning Times. Mr. Flores stated that if the revenues continue as they are and the budget is approved with what the departments are requesting, the expenditures would exceed the revenues by \$10-\$11 million. He stated that the audited balance of the general fund as of the end of May was

\$8,839,901 and is close to the 16%. He stated that the Treasurer's Report does not show the sales tax revenues and that the interest rates are lower than projected in the budget. He advised the Court to speak with those departments who are not meeting their projected revenues. He also stated that a policy must be put in place to deal with those persons with cellular phones that go over their allotted minutes besides having them pay for the additional charges due they could just come before the court to request additional minutes and the problem would continue. He recommended that the Court allot them a certain money amount in their budget for phone use and if they go over, they would need to pay for the additional charges out of their budget. Cmr. Velasquez stated that Cost Containment Committee would look into that as well as look into reducing spending on cellular phone charges. Sheriff Juan Garza stated that he wanted to clarify to the Court that the reason that his department has not met their revenues was due to that the per diem charge per federal inmate was projected at \$49.43 when they are actually receiving \$43.56 per inmate. He stated that the projected revenues should be lower. Ms. Delia Perales, Treasurer, stated that by allotting departments a cellular phone allowance would prevent billing to the individual person. She stated that she has billed several persons who went over their allotted minutes but the majority have not responded or submitted payment. Judge Bruni advised Court and public that Mr. Raul Casso, his Chief of Staff, was attending a bi-national conference in San Francisco for three days and would be presenting a report on the conference to the Court at the next meeting. Cmr. Gutierrez questioned an invoice that was paid 658 days after it was received. Mr. Flores stated that the Court must address the individual department as to why invoice was held for so long.

- Item No. 9 Discussion and possible to continue and renew, by order, County Judge Louis H. Bruni's declaration of local state of disaster for Webb County for a term to be designated by the Commissioners Court or until terminated by further action of Commissioners Court.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Mr. Homero Ramirez, County Attorney, stated that Chapter 418 of the Local Government Code, required that emergency planning and assistance from the County and local governments be made

available to assist the public and private entities that sustained any damage due to weather related emergencies. Mr. Tomas Rodriguez, Engineering Department, stated that because the majority of the damage occurred within the City Limit, any assessments for government aid would be on hold until those figures are in. Stated that it could take up to 120 days for those reports to be completed and filed.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, advised Court to consider extending this order for 120 days until reports are completed or indefinitely until terminated by Commissioners Court.

Judge Bruni motioned to extend order until further notice by Commissioners Court. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 10 Discussion and possible action to adopt, by order, "Public Comment" policy to permit any member of the public the opportunity to address the Commissioners Court on any item on the Courts' agenda, requiring submission of a witness card specifying which agenda item(s) to comment on, and establishing a time limit for comments.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 11 Discussion and possible action to update Webb County's Emergency Management Plan (last completed in 1989) and to instruct Webb County Chief of Staff, Raul Casso, to facilitate meetings with South Texas Development Council and appropriate Webb County Department Heads and other County staff. (Co-Sponsored by Commissioner David R. Cortez)

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. John Keiser, South Texas Development Council, stated that this service was being sponsored by the Department of Emergency Management to update basic level plans. He stated that he would be assisting in completing this plan for Webb County.

Motion carried 5-0 by unanimous consent.

- Item No. 12 Presentation by the American G. I. Forum by Luis Diaz De Leon and Jorge Sanchez, Artist, honoring distinguished Webb County women.

Mr. Luis Diaz de Leon spoke with the court in regards to some booklets that the G. I. Forum would like to publish to honor the first women in several organizations and leadership positions throughout Webb County. Ms. Cindy Carmona, Ms. Laredo G. I. Forum, stated that it was a great pleasure and honor to assist in this worthwhile project to commemorate and honor the distinguished women of Webb County. Mr. Jorge Sanchez stated that this project has been in the works for approximately 3 years and has been reviewed by English and History teachers for accuracy. He stated that when he first came to Laredo, he spent many hours reading about Laredo's colorful history and the great role that women played in Laredo's history and how many died for what they believed in. Cmr. Gutierrez commended their project for recognizing these women. Mr. De Leon stated that they needed approximately \$5,000 to print this booklet in time to distribute it for use in the next school year. He stated that there is also a possible mural displaying these distinguished women. The Court advised Mr. De Leon and Mr. Sanchez that they would look to see if any possible monies could be used to assist in funding this project.

- Item No. 13 Discussion and possible action to appoint Commissioner David R. Cortez as Chairman (Non Voting) of the Cost Containment Committee.

Cmr. Cortez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Cmr. Gutierrez stated that she believed that committee should consist of private citizens only so as to not jeopardize the committee's integrity by having Court members on the board. Cmr. Cortez stated that the role of non-voting members would be for guidance only.

Cmr. Velasquez retracted second. Cmr. Cortez's motion dies.

Cmr. Vasquez motioned to limit committee to private citizens only.
Cmr. Gutierrez seconded the motion.

Motion carried 3-1 with Cmr. Cortez voting against.

Item No. 14 Discussion and possible action to appoint Elsa Arce to the
Community Action Agency Board.

Cmr. Vasquez motioned to approve item as submitted. Cmr.
Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 15 Discussion and possible action to reclassify slot #2063, from
Community Center Director, to Executive Administrator to the
County Commissioners, and establish an appropriate salary
and compensation.

Cmr. Vasquez motioned to approve item as submitted. Cmr.
Gutierrez seconded the motion.

Cmr. Vasquez inquired as to whether salary must be established as
part of motion or at time of hiring. Mr. Homero Ramirez, County
Attorney, stated that salary could be established with motion or at
time of hiring.

Motion carried 3-1 with Cmr. Cortez voting against.

Item No. 16 Discussion and possible action to appoint Mr. Carlos Villarreal
to the position of Executive Administrator to the County
Commissioners, and set effective date of employment.

Cmr. Vasquez stated that he meant no disrespect to the current
administration with this item. He stated that he only meant to
bring someone with experience to Commissioners Court.

Cmr. Vasquez motioned to defer item. Cmr. Gutierrez seconded
the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 18 Discussion and possible action on implementing summer hours for Webb County Courthouse beginning June 9, 2003 through August 29, 2003 as follows:
Monday – Thursday 8:00 a.m. - 12:00 noon
12:30 p.m. - 5:30 p.m.
Friday 8:00 a.m. - 12:00 noon

Comr. Gutierrez stated that this would help cut costs in utility bills.

Comr. Vasquez motioned to approve item as submitted. Comr. Velasquez seconded the motion with discussion.

Comr. Velasquez inquired if this would affect the entire County offices or just the Courthouse. Comr. Gutierrez stated that any department that wished to do this could come before the Court at next meeting but that this item pertained only to the Courthouse.

Motion carried 3-1 with Comr. Cortez voting against.

- Item No. 19 Discussion and possible action to appoint a member to the Cost Containment Committee.

Comr. Gutierrez motioned to appoint Ms. **(Maria Eugenia)** Calderon of Calderon Designs, a local businesswomen, as her appointee to the Cost Containment Committee. Comr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 20 Discussion and possible action to enter a re-negotiated equipment lease agreement with John Deere Credit in the amount of SEVEN THOUSAND DOLLARS (\$7,000.00) per month at thirty-six (36) months, for mowing and maintenance equipment at the golf course and the Webb County Judge to sign all relevant documents. The renegotiation results in a savings of THREE THOUSAND NINE HUNDRED TWELVE DOLLARS (\$3,912.00) to budgeted Account #001-6001-6096 Lease Purchase Principal.

Comr. Velasquez motioned to defer item. Comr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 21 Discussion and possible action to amend the Webb County Policy and Procedures Manual to prohibit raising funds for any political candidate on Webb County property and any other matters incident thereto.

Comr. Cortez stated that he had received complaints from employees who felt pressured to participate in fundraisers for political candidates by purchasing or selling tickets. He stated that this would affect only members of Commissioners Court and not other officials.

Comr. Cortez motioned to approve item as submitted. Judge Bruni seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that current prohibition is on political campaigning not fundraising. He stated that this would affect those managing County property and fee incomes at locations such as L.I.F.E. Downs, Casa Blanca Golf Course, and community centers. He stated that he had concerns about Court telling other elected/appointed officials what they can and cannot do in their office space. He stated that he believed that Comr. Cortez wants prohibition of County employees fundraising on County property or feeling that they are forced to raise funds for political candidates. Comr. Gutierrez stated that some community centers are rented out for political fundraisers as well as private functions and can be rented out by anyone. She stated that she is concerned about the loss in rental fees and other revenues. Mr. Ramirez stated that no employee could be compelled to support a certain candidate. Comr. Cortez stated that he did not believe that centers were built for members of Commissioners Court to have fundraisers.

Vote was not taken on this item.

- Item No. 22 Discussion and possible action to develop public policy recommendations and/or procedures for the uniform establishment of scoring committees for the awarding of Webb County Contracts for services and capital improvements

projects, and for procedures and criteria for the appointment and selection of members to said committee.

- Item No. 25 Discussion and possible action to appoint an Executive Administrator to the Webb County Commissioner, Precinct 4, and to allocate up to \$20,000 to fund this position (General Fund).

Cmr. Cortez motioned to defer Item No. 22 and No. 25. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 23 Discussion and possible action to approve Change Order #2 to the Neighborhood Housing Services of Dimmit County, Inc. contract (Penitas West Community Park) by adding NINETEEN THOUSAND EIGHT HUNDRED TWENTY-FOUR DOLLARS (\$19,824.00) for the installation of a septic tank and drainage field. The \$19,824.00 will be from grant funds (TCDP# 721859) with no cost to the County.

Cmr. Cortez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 24 Discussion and possible action to designate and/or transfer up to FIFTY THOUSAND DOLLARS (\$50,000) for Webb County Rural Rail Transportation District operations, subject to availability of funds to be certified by County Auditor.

Cmr. Cortez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that refunding of these funds would be done as per conversations with Rail District Board. He stated that he is concerned that if there were no ability to repay monies, County would lose those funds.

Motion carried 5-0 by unanimous consent.

- Item No. 21 Discussion and possible action to amend the Webb County Policy and Procedures Manual to prohibit raising funds for any political candidate on Webb County property and any other matters incident thereto.

Cmr. Cortez motioned to defer item. Cmr. Vasquez seconded the item.

Motion carried 5-0 by unanimous consent.

RECESS (3:50 p.m. to 4:03 p.m.)

- Item No. 26 Discussion and possible action to fill slot # 1849 (Center-Aide), Part-time at \$8.25 per hour effective June 9, 2003. [Account #920-4200-5001 Payroll – Community Service Block Grant]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 29 Discussion and possible action to fill slot #1155 (Center Coordinator) at 9.00 per hour full-time permanent, effective June 10, 2003. [Account #920-4200-5001 Payroll Community Service Block Grant]

Cmr. Gutierrez motioned to table item. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 27 Discussion and possible action to modify slot #1160 (Center Aide), from Full-time, Temporary to Full-time Permanent with benefits at \$8.25 per hour effective June 10, 2003. [Account #920-4200-5001 Payroll Community Service Block Grant]

- Item No. 28 Discussion and possible action to modify slot #1218 from Food Deliverer, (15 hours a week) to Cook Helper/Deliverer, (40 hours per week with benefits) effective June 10, 2003. [Account #952-4216-5001 Payroll Meals on Wheels]

Cmr. Gutierrez motioned to approve item No. 27 and No. 28 as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 30 Discussion and possible action to enter into a contract amendment with CPL Retail Energy, LP concerning the "Neighbor-to Neighbor" Program administered by the Webb County Community Action Agency wherein CPL Retail Energy, LP will increase its funding to the program by an additional TWENTY-FIVE THOUSAND FIVE HUNDRED AND NINETY FOUR DOLLARS (\$25,594.00), and authorizing the County Judge to sign all relevant documents. [Webb County Community Action Agency]
- Item No. 31 Discussion and possible action to pay Bexar county TWELVE THOUSAND SEVENTY FIVE DOLLARS (\$12,075.00) and Kerr County SIX HUNDRED AND SEVENTY DOLLARS (\$670.00) for costs pursuant to mental health service proceedings conducted in Bexar County and Kerr County under the Texas Mental Health Code with payment allowed under Texas Health and Safety Code section 571.018(a) and pursuant to Texas Attorney General Opinion JC-0287, determination by Webb County of appropriate funding source to pay for such services, and any other matters incident thereto.
- Item No. 32 Discussion and possible action to enter into a Bond Counsel Services Agreement with Winstead Sechrest & Minick P.C. ("Winstead") to serve as Webb County's Bond Counsel, provide notice to Akin Gump to transfer all files related to Webb County held by Akin Gump to Mr. Paul Martin, who is now associated with Winstead, and authorizing the Webb County Judge to execute all relevant documents.
- Item No. 33 Discussion and possible action to pay Border Region Mental Health and Mental Retardation Community Center THIRTEEN THOUSAND TWO HUNDRED DOLLARS (\$13,200.00) associated with physician examinations, billed between February 2002 through May 14, 2003, pursuant to mental

health service proceedings conducted in Webb County under the Texas Mental Health Code with payment allowed under Texas Health and Safety Code section 571.018(a) &(b)(2), determination by Webb County of appropriate funding source to pay for such services, and any other matters incident thereto. [Requested by County Attorney]

- Item No. 34 Discussion and possible action to enter into a three (3) year (June 1, 2003 through May 31, 2006) Licensing Agreement with Autophone of Laredo, Inc. to provide an antenna site on the Mirando Tower at a monthly rate of FOUR HUNDRED AND TWENTY-NINE DOLLARS (\$429.00) for a total cost of FIFTEEN THOUSAND FOUR HUNDRED AND FORTY FOUR DOLLARS (\$15,444.00) and authorizing the County Judge to sign all relevant documents. [Account # 010-7002-6014 Equipment Rental Requested by Road and Bridge Department]
- Item No. 36 Discussion and possible to enter into a three (3) year equipment lease agreement with Kyocera Mita America, Inc. for nine (9) Kyocera Mita KM Digital Copiers at a monthly cost of TWO HUNDRED AND SEVENTY DOLLARS (\$270.00) for a total cost over the lease term of NINE THOUSAND SEVEN HUNDRED AND TWENTY DOLLARS (\$9,720.00), and authorizing the Webb County Judge to sign all relevant documents. [Account # 920-4200-6014 Equipment Rental Community Service Block Grant Requested by Community Action Agency]
- Item No. 37 Discussion and possible action to enter into a three (3) year equipment maintenance agreement with Nevill Business Machines for nine (9) Kyocera Mita KM Digital Copiers at a monthly cost of SEVENTY TWO DOLLARS (\$72.00) with copy overage above 100 copies billed at a cost of .008 cents for a total cost over the lease term of TWO THOUSAND FIVE HUNDRED AND NINETY TWO DOLLARS (\$2,592.00), and authorizing the Webb County Judge to sign all relevant documents. [Account # # 920-4200-6014 Equipment Rental Community Service Block Grant Requested by Community Action Agency]

- Item No. 38 Discussion and possible action to approve Contract Amendment No. 1 to the Regional Solid Waste Management Implementation Grant Program Contract with the South Texas Development Council (Contract No. 02-19-G03) by extending the term of the contract to August 31, 2003, transferring funds from salary to fringe benefits, and creating a new grant budget item for "Other" (materials) expenditures and authorizing the County Judge to sign all relevant documents.
- Item No. 39 Discussion and possible action to enter into an architectural services agreement with Architectura S.A., Inc for the design of a new recreational 2,500 square foot building adjacent to the El Cenizo Community Center and for modifications to the existing El Cenizo Community Center at a cost of TWENTY-FOUR THOUSAND DOLLARS (\$24,000.00) and authorizing the County Judge to sign all relevant documents. [Account # 678-8103-8710-1 Park Development Precinct 1, Series 2001]
- Item No. 41 Discussion and possible action to enter into a two month (June 5, 2003 through August 5, 2003) commercial lease agreement with Jose Mario Flores concerning lease space of approximately 1,800 square feet located at 1808 Commerce Drive at a cost of \$1,800.00 dollars a month. An exemption is being requested to the competitive bidding requirement under Local Government Code section 262.024(3) [item necessary because of unforeseen damage to public property], and authorizing the Webb County Judge to execute all relevant documents. [Requested by Webb County Head Start]

Cmr. Gutierrez motioned to approve item No. 30, No. 31, No. 32, No. 33, No. 34, No. 36, No. 37, No. 38, No. 39 and No. 41 as submitted with discussion. Cmr. Vasquez seconded the motion.

Cmr. Gutierrez inquired if Item No. 31 was included in the budget for this year. Mr. Homero Ramirez, County Attorney, stated that county is required to pay for these services and funding is usually from the General Fund. Mr. Ramirez stated that Court must authorize payment for these services. He stated that Auditor could not pay until funds have been located. He stated that County has an obligation to pay for mental health and mental retardation

services rendered to Webb County residents. He stated that the nearest commitment center was in San Antonio, Texas. He stated that the Webb County Indigent Health Care funds could not be used for this purpose because they are not reimbursable services. He stated that one option would be to request RFQ (Request for Qualifications) or RFP (Request for Proposals) for contract physicians to evaluate patients. He stated that other costs include infectious diseases and chemical dependency. Cmr. Velasquez inquired on funding source and stated that possible source would be available in funds set aside for grant matching.

Motion carried 5-0 by unanimous consent.

- Item No. 35 Discussion and possible action to either exercise an option to extend the initial term of the Agreement, for another two years, with LINEBARGER, HEARD, GOGGAN, BLAIR, GRAHAM, PENA & SAMPSON, LLP, concerning court fees and fines collections services or to terminate the Agreement with said law firm, and authorizing the County Judge to execute all relevant documents [Requested by Webb County Attorney]

Mr. Homero Ramirez, County Attorney, stated that this contract was authorized in May 2000 and amended in 2001. He stated that this contract was for collection of Court fees and fines at the Justice of the Peace level with a 30% fee for collection services. He stated that the amendment would be for contract to read that 30% fee would be of the County's remainder of the collection after 85% of the fees go to the State. He stated that the M.I.S., Auditor and J.P.'s are prepared to do in-house if that is the Court's choice. Mr. Leo Flores, County Auditor, stated that the County has collected \$97 thousand and paid Linebarger \$29 thousand since they were contracted.

Cmr. Gutierrez motioned to defer item pending further information. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 40 Discussion and possible action regarding claim of McLean Construction Ltd. for expenses related to Rio Bravo Sanitary Sewer Collection System. **[Executive Session is requested pursuant to Texas Government Code Title 5,**

Subchapter D, Section 551.071 (consultation with Attorney)]

As per Judge Bruni, item would be discussed in Executive Session.

- Item No. 42 Discussion and possible action to approve a line item transfer in the amount of TWO HUNDRED THOUSAND DOLLARS (\$200,000) to account #001-0109-6201 (Utilities) from the General Fund Balance.

Mr. Leo Flores, County Auditor, stated that there were not enough funds available to pay some outstanding utilities. He stated that after deregulation of utilities occurred, six months passed before invoices were received. He stated that last years bills were paid with this year's budget and that the monies not used from the last budget were returned to the general fund. He stated that he has found some monies in savings on some accounts. Cmr. Velasquez inquired as to why there were still funds in grant matching when the fiscal year is about to end. Mr. Juan Vargas, Economic Development, stated that there are some monies remaining in grant match funds but that he does not know why they are there. He stated that his department looks for grants that require an in-kind match versus a monetary match. He stated that the Court would need to ask department who applied for those grants.

Cmr. Gutierrez motioned to approve item with monies coming from savings. Cmr. Gutierrez seconded the motion.

Mr. Homero Ramirez, County Attorney, recommended that Court approve item as submitted and to instruct the Auditor come forth with alternative funding source.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 43 Discussion and possible action on the approval of a line item transfer in the amount of \$1,200 from account #001-1011-6402 (Equipment Maintenance) to account #001-1011-6011 (Training and Education).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 44 Discussion and possible action to approve a line item transfer in the amount of \$1,500 from account #001-1045-6402 (Equipment Maintenance) to account #001-1045-6205 (Material and Supplies).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 45 Discussion and possible action to fill Slot #1336, Probation Officer, (Fund 148 Progressive Sanctions Grant) and Slot #790, Probation Officer, (Fund 146 Community Corrections Assistance Grant) at \$13.20 per hour and Slots #351 and #340 (Detention Officers/General Fund) at \$10.90 per hour effective June 9, 2003.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 46 Discussion and possible action to issue "Certifications Regarding Compliance with Plat Requirements and the Connection of Utilities" to authorize utility connections to the following properties:
Connections(s) qualifying under Section 232.09 (i):
1. Lot 293, Ranchitos Las Lomas II Subdivision, (electricity – one dwelling only).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 49 Discussion and possible action authorize the Purchasing Agent to solicit for Architectural Services for the Justice Center improvements [Account # 687-0117-6022 Professional Services (Requested by the Engineering Department)].

Cmr. Vasquez motioned to table item. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 47 Discussion and possible action to award/reject Bid Number 2003-36 Intercom System for the Webb County Law Enforcement Center. [Account # 624-8000-8601-3 Construction in Progress]

- Item No. 48 Discussion and possible action to authorize the Purchasing Agent to purchase seven (7) carriers model T3603/600000-P in the amount of \$10,343.00 from Mortech Manufacturing Company for the Temporary Morgue. [Account #676-8101-8601 Construction in Progress]

- Item No. 50 Discussion and possible action to authorize the Purchasing Agent to purchase three (3) sections of 300 LM Safe Deposit Boxes from Diebold in the amount of \$7,743.00 for the Law Enforcement Center. [Account # 624-8000-8601-3 Construction in Progress]

- Item No. 51 Discussion and possible action to authorize the Purchasing Agent to purchase educational materials from Lakeshore Learning Materials in the amount of \$6,880.00 for the Head Start Program. [Account #903-4207-7037 Contractual]

- Item No. 52 Discussion and possible action to authorize the Purchasing Agent to purchase educational materials from Educational Products Inc. in the amount of \$5,778.49 for the Head Start Program. [Account #903-4207-6069 Class Room Supplies]

- Item No. 53 Discussion and possible action to award/reject Bid #2003-35 "One (64' X 56") Sq. Ft. portable building for the Head Start Program. [Account #903-4207-6012 Space Rental]

- Item No. 54 Discussion and possible action to approve Lease Addendum #7130469-002 to Master Lease Purchase Agreement and Schedule with General Electric Capital Corporation to finance acquisition of additional equipment, licenses, materials and warranties for extending Mitel Phone System Services to Webb County Court Residential Treatment Center, for a monthly lease payment of \$411.99 for 114 months. Action to authorize County Judge to execute agreement and related documents. [Account # 001-0109-6004-1 Telephone Maintenance]
- Item No. 55 Discussion and possible action to authorize the Purchasing Agent to lease one copier (DC555) in the amount of \$716.00 per month from the State of Texas lease contract, Class 985-A3-0 (Xerox Contract #071892300) from Copy Connection for the Community Action Agency. [Account # 920-4200-6014 Equipment Rental Community Service Block Grant]
- Item No. 57 Discussion and possible action to authorize the Purchasing Agent to solicit proposals for the following:
(a) Procurement Card
(b) Payroll Credit Cards and
(c) Automated Electronic Payment options for Webb County
- Item No. 58 Discussion and possible action to authorize the Purchasing Agent to purchase furniture and office equipment for the Bruni Community Center from Patria Office Supply in the amount of \$16,208.44. [Account #696-6108-8801 Capital Outlay Certificates of Obligation Series 2002]
- Item No. 59 Discussion and possible action to authorize the Purchasing Agent to purchase ammunition for the Law Enforcement Center Training Division from Border Sporting Goods in the amount of \$5,169.50. [Account #012-2060-6011 Training and Education Law Enforcement Officers Grant]
- Item No. 60 Discussion and possible action to authorize the Purchasing Agent to purchase eight (8) HP Printers with cable from CDW - G for the Law Enforcement Center in the amount of

\$7,838.87. [Account #315-2040-6224 Minor Apparatus and Tools Local Law Enforcement Block Grant]

- Item No. 61 Discussion and possible action to authorize the purchasing agent to solicit bids for a General Contractor for renovations of the Oilton and Mirando City Parks. [Requested by Parks and Grounds Department]

Mr. Eloy Ramirez made the following recommendations to the Court:

Item #47 – Southwest Cell and Electronics - \$46,565
Item #53 – Komar Building Systems - \$114,725 (lease/purchase)
Item #54 – Connect Restitution Center with Mitel phone system.
Item #57 – Pursue program and request proposals

Cmr. Vasquez motioned to approve item No. 47, No. 48, No. 50, No. 51, No. 52, No. 53, No. 54, No. 55, No. 57, No. 58, No. 59, No. 60 and No. 61 as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 63 Discussion and possible action to approve a line item transfer in the amount of \$700.00 from Account #001-0105-5601(Administrative Travel) to Account #001-0105-6011(Training & Education)

- Item No. 64 Discussion and possible action to issue a Notice of Cancellation to the following companies pending the outcome of RFP 2003-14 for Managed Care Health Plan, Managed Prescription Benefit Program, Group Life and Group AD&D Program
1. Blue Cross/Blue Shield of Texas, Inc.
 2. Texas Association of Counties
 3. Sun Life of Canada

- Item No. 65 Discussion and possible action to create line item 001-0105-6032-04 (Storm Damage Claim) to account for emergency expenditures related to June 2, 2003 for insurance tracking purposes.

Cmr. Gutierrez motioned to approve item No. 63, No. 64 and No. 65 as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Ms. Juanita Puente, Risk Manager, stated that proposals were received and would be presented to the Court.

Item No. 66 Discussion and possible action to approve the following line item transfers in the amount of \$6,031.

FROM:

Account # 001-0300-6014 (Equipment Rental)	\$2,731.00
Account # 001-0300-6007 (Dues & Membership)	\$300.00
Account # 001-0300-6022 (Professional Service)	\$3,000.00
TOTAL	\$6,031.00

TO:

Account #001-0300-6005 (Postage)	\$2,500.00
Account #001-0300-6402 (Repair & Maint. Equip.)	\$1,200.00
Account #001-0300-6205 (Material & Supplies)	\$2,331.00
TOTAL	\$6,031.00

Cmr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

Cmr. Gutierrez inquired as to why the postage was so high. Cmr. Velasquez and Judge Bruni recommended that a bulk rate permit be obtained.

Motion carried 5-0 by unanimous consent.

Item No. 67 Discussion and possible action to solicit request for proposals for Investment Advisory Services for Webb County Funds.

Cmr. Gutierrez motioned to approve item with discussion. Judge Bruni seconded the motion.

Ms. Delia Perales, County Treasurer, stated that this was necessary due interest rates have gone down and that she spoke with Mr. Jorge Flores, County Judge's Chief Financial Officer, who agreed that interest rates needed to be raised. Mr. Jorge Flores stated that there is a charge involved but that it would pay for itself in additional interest generated. He stated that this would not be

long-term investment with a maximum of 2 years and investments would not be made outside of investment policy. He stated that County needed to diversify funds. Mr. Leo Flores, County Auditor, stated that this may not be needed at this time but money management is.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to go into Executive Session to discuss item No. 40. Cmr. Vasquez seconded the motion.

Motion carried 4-0 with Cmr. Cortez not present for voting.

Executive Session (5:05 p.m. to 5:23 p.m.)

Judge Bruni called meeting to order and stated that no action was taken during Executive Session.

- Item No. 40 Discussion and possible action regarding claim of McLean Construction Ltd. for expenses related to Rio Bravo Sanitary Sewer Collection System. [**Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (consultation with Attorney)**]

Mr. Homero Ramirez, County Attorney, advised Court of two options, 1) authorize to negotiate settlement or 2) deny claim.

Cmr. Gutierrez motioned to deny claim. Cmr. Vasquez seconded the motion.

Motion carried 4-0.

- Item No. 68 Adjournment

Cmr. Gutierrez motioned to adjourn meeting. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.